Syllabus

FOOD LAW & POLICY SEMINAR

George Mason University Law School
Law 481-001 | 2 credits | Fall 2016

Day/Time
Mondays, 4:00 p.m.-5:50 p.m.

Instructor
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Course Description

In this seminar, students will explore and discuss a variety of timely issues and topics in the field of Food Law & Policy, which looks at the basis and impact of those laws and regulations that govern the food and beverages we grow, raise, produce, transport, buy, sell, share, dispose of, cook, eat, and drink. Through readings that include law-review articles; features in the mainstream press; books and/or book excerpts; case law; research; reports; multimedia; and other materials produced by a variety of governmental and non-governmental sources, students will explore the relationship between laws and policies that structure our food system and their (un)intended consequences.

The course focuses on myriad issues related to government (in)action pertaining to food and discusses issues pertaining to laws and regulations created at all levels of government. Topics this course examines shall include:

- Federal and state regulation of spirits, wine, and beer (including craft beer);
- State cottage food laws, food freedom laws, and food sovereignty laws;
- Local regulation of food trucks, restaurants, farmers markets, and urban gardens;
- Soda taxes in Berkeley, Philadelphia, and Mexico;
- The federal Farm Bill and farm subsidies;
- The USDA National School Lunch Program;
- The Food Safety Modernization Act (FSMA); and
- Federal, state, and local, rules pertaining to GMO foods.

Students will consider these topics as they relate to issues like obesity, innovation and tradition, fraud, animal welfare, sustainability, food waste, the environment, food freedom, food safety, and public health.

Grading

Generally
Your grade in this class is based on my evaluation of your work in three distinct areas:

- **Class Participation** – 20% (ongoing throughout the semester)
- **Short Writing Assignment** – 10% (approximately 750 words; topic assigned by instructor) – Due by October 6
- **Final Research Paper** – 70% (at least 6,500 words, not including mandatory footnotes; topic must be approved by instructor; includes 10-minute presentation of research during final class meeting) – Due by December 15

### Measuring and Grading Class Participation

I expect every student to contribute substantively to the scheduled classroom discussion in every class meeting. I cannot stress this enough. Given that 20% of your final grade in this class is based on your participation in the classroom, an (otherwise) “A” student who does not participate in class may be, at best, a “C+” student. Class participation includes discussion of the readings (with your peers, any guest speaker(s)), and/or me), responses to questions (from your peers, any guest speaker(s), and/or me), and participation in classroom exercises as assigned. I always welcome any questions you have about class participation.

### Measuring and Grading Written Assignments

Research and writing assignments include use of proper formatting (12 point Times New Roman font, 1” margins) and citations (Bluebook). Where I enumerate specific requirements for a written assignment (e.g., that your final paper must be “at least 6,500 words, not including mandatory footnotes”), any deviation from that clear minimum requirement will impact your grade quite negatively. We will discuss graded requirements for written assignments in further detail during the first class meeting and at other appropriate times during the semester. I always welcome any questions you have about written assignments.

### Grade-Related Questions; Extra Credit; Excellent Effort

Students may earn an “A” grade in this class only by demonstrating extraordinary effort and ability throughout the semester. If you are concerned about your grade at any time during the semester, please discuss your concerns with me as soon as they arise.

I do not grant extra credit. However, I reserve the right to increase your final letter grade in this class by up to one-third letter grade (e.g., from a B+ to an A-) based on any outstanding work you do in any one or more of the three graded areas (Class Participation; Short Writing Assignment; Final Research Paper).

### Class Learning Objectives
• Understand the past, present, and future of the field of Food Law & Policy
• Comprehend both the interplay and independence of federal, state, and local food laws and policies
• Develop and display critical thinking skills pertaining to the field
• Participate in thoughtful discussions about a variety of important issues in the field
• Use evidence from the field (and, where appropriate, from other fields and disciplines) to develop arguments and counterarguments
• Research, organize, and write an article (“Final Research Paper”) of publishable quality

Readings

As the course description states, readings in this course are drawn from a combination of law review articles; features in the mainstream press; book and/or book excerpts; case law; research; reports; multimedia; and other materials produced by a variety of governmental and non-governmental sources. I will send (e.g., by email) all assigned course materials, readings, and/or discussion questions to students no later than two weeks before each class meeting. The materials, readings, and discussion questions may arrive as attachments, links, or some combination of the two.

The readings and class discussions in this course are intended to demonstrate the rich variety of key issues and perspectives in the field of Food Law & Policy. This course is not (and is not intended to be) an exhaustive survey of the entire field. I encourage a student who is interested in Food Law & Policy issues that we do not cover in our class readings and discussions to focus on such issues in their Final Research Paper (pending my approval).
Class Schedule

I. Aperitif: Introduction

Class 1 – Aug. 22: Course introduction; discussion of syllabus, course requirements, and grades; course overview; instructor and class introductions; introduction to food policy

Class 2 – Aug. 29: Overview: The Past, Present, and Future of Food Law & Policy

II. Appetizer: Federal Food Law & Policy

Class 3 – Sept. 12: The Food Safety Modernization Act

Class 4 – Sept. 19: The Farm Bill (including Farm Subsidies) & Other Federal Ag Programs

Class 5 – Sept. 26: The National School Lunch Fight

III. First Course: Federal/State Food Law & Policy

Class 6 – Oct. 3: The GMO Debate – Short Writing Assignment due

Class 7 – Oct. 11: Dairy Dilemmas (filled milk, margarine, raw milk, and standards of identity)

Class 8 – Oct. 17: The Meat We Eat: Animal Slaughter; Foie Gras; Eggs; & “Ag Gag”

Class 9 – Oct. 24: Beer, Wine, & Sprits [Note: Field Trip]

IV. Second Course: State/Local Food Law & Policy

Class 10 – Oct. 31: Eating Local: Cottage Food; Farmers Markets; Urban Ag; Foraging; Food Sovereignty

V. Dessert: Local Food Law & Policy

Class 11 – Nov. 7: Regulating Restaurants & Food Trucks

Class 12 – Nov. 14: Local Restrictions: Fast Food Laws; Soda Bans, Taxes, and Warnings; Bans on Sharing Food

VI. Digestif

Class 13 – Nov. 21: Working in Food Law & Policy

Class 14 – Nov. 28: Student Presentation of Research – Final Research Paper due by Dec. 15